

Recommendation Report for Outline Consent

REF NO: EG/22/19/OUT

LOCATION: Boweries
Barnham Road
Eastergate
PO20 3RT

PROPOSAL: Outline application with some matters reserved for the erection of 28 No. dwellings, access, landscaping & associated works (re-submission following EG/42/18/OUT).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This outline planning application is for the erection of 28 dwellings on land known as the Boweries, in Eastergate. This is a re-submission following the withdrawal of outline planning application EG/42/18/OUT, for the same quantum of housing. The applicant is applying for access to the site as part of this outline planning application. Details regarding the appearance, scale, layout and landscaping of the proposed residential development would be submitted for consideration as part of a reserved matters application.
SITE AREA	1.49 hectares
RESIDENTIAL DEVELOPMENT DENSITY	19 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	A Tree Preservation Order (TPO) has been made to protect a Holm Oak (T40), a Scots Pine (T43) and a Silver Birch (T45) along the site frontage with Barnham Road to the north. There is also a number of large and prominent trees along the southern boundary of the site (TL01, TG02 and T03) which are of significance for the wider area.
BOUNDARY TREATMENT	The site is bounded by trees and hedgerows.
SITE CHARACTERISTICS	The site is a long rectangular plot. The northern and southern parts of the site are currently occupied by paddocks used for the grazing of horses. The existing house and several barns and outbuildings are located on the eastern boundary of the site. The proposed access would utilise the existing access to the Boweries, taken directly off Barnham Road.
CHARACTER OF LOCALITY	The site is located on the western side of Barnham, to the south of Barnham Road (the B2233), between the villages of Barnham and Eastergate. The site is located within the parish of Eastergate, but it is situated approximately 500 metres north west of Barnham. The site is located within the gap between the two settlements of Barnham and Eastergate. The

surrounding area is characterised by large detached houses set back from the road, occupying narrow plots with long garden areas located to the rear. The surrounding land uses include residential areas, commercial development (including Fordingbridge Industrial Park) and nurseries (i.e. Fleurie Nursery). Public Footpath No. 321 runs east / west, beyond the southern boundary of the application site.

RELEVANT SITE HISTORY

EG/42/18/OUT	Outline application with all matters reserved for the erection of 28 No. dwellings, access, landscaping & associated works.	Withdrawn 25-10-18
EG/87/79	Outline Application For Residential Development	Refused 08-11-79

An outline planning application (EG/42/18/OUT) was withdrawn prior to being refused by the Local Planning Authority for reasons relating to the lack of comprehensive planning and to insufficient infrastructure obligations.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

Barnham & Eastergate Parish Council

Object.

- The detailed masterplan is still in development and this application is therefore premature.
- The proposed development could compromise the contiguous green corridor through the BEW site.
- The applicant should engage with ADC in the masterplanning process for BEW.

Walberton Parish Council raised an objection to the proposed development on the grounds that the site is not identified for development in the Barnham and Eastergate Neighbourhood Plan.

A letter of representation has been received from Lichfields acting on behalf of The Church Commissioners for England, CEG and Hanbury Properties who own / control the majority of land in the proposed BEW strategic allocation raising an objection to the proposed development on the following grounds:

- This is almost identical to the previous withdrawn outline planning application (EG/42/18/OUT).
- The detailed masterplan for BEW is progressing but it is at an early stage and is not confirmed.
- The masterplan cannot be confirmed until the preferred route for the re-aligned A29 has been agreed.
- There is a risk that the route of the A29 might change and this application could prejudice its delivery.
- This application could result in further physical coalescence of the three villages.
- The required visibility splays of 2.4m x 43m cannot be provided onto Barnham Road.
- All footways need to meet Manual for Streets guidance.

- Could the strategic Westergate cycle link be accommodated along the southern boundary?
- Are there adequate vehicle turning opportunities?
- More parking is required to reduce the risk of overspill parking in the site and on the highway network.
- Development needs to contribute proportionately to BEW infrastructure identified in Policy H SP2c.

Seven letters of representation have been received from local residents objecting to the proposed development on the following grounds:

- The proposed development would reduce the strategic gap between Eastergate and Barnham.
- Green infrastructure can only be delivered by co-ordinated masterplanning of the BEW allocation.
- There is no need granting permission for 28 dwellings on a site that currently has 1 dwelling.
- The proposal would generate increased traffic levels on Barnham Road.
- Access to the village facilities would require residents to walk on the road or cross Barnham Road.
- The proposed A29 re-alignment is only a few hundred metres from the application site.
- The proposed development would result in unacceptable impacts from noise, light and air pollution.
- The development is speculative and not part of a wider, long term and sustainable plan for BEW.
- The Wider Framework Plan has been issued prior to the approval of the A29 re-alignment.
- The Wider Framework Plan excludes the strategic gap between Barnham and Eastergate.
- The 3 proposed accesses onto Barnham Road would increase traffic congestion.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

CONSULTATIONS

Southern Water Planning
 Engineering Services Manager
 Engineers (Drainage)
 Surface Water Drainage Team
 Planning and Housing Strategy
 Environment Agency
 Listed Building Officer
 Environmental Health
 Ecology Advisor
 Sussex Police-Community Safety
 NHS Coastal West Sussex CCG
 Highways England
 Arboriculturist
 Parks and Landscapes
 WSCC Strategic Planning
 Engineers (Drainage)
 Ecology Advisor
 Archaeology Advisor
 Arboriculturist
 Conservation Officer
 Parks and Landscapes

Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

No objection.

This is subject to an appropriate contribution being secured towards the highway mitigation identified as part of the adopted Arun Local Plan as this development forms part of the BEW strategic development.

LOCAL HIGHWAY AUTHORITY:

No objection.

The applicant has submitted a stage 1 Road Safety Audit (RSA) for the proposed access; together with an updated Transport Statement, confirming the level of parking (i.e. 62 spaces) and vehicle tracking. The revised proposed site layout plan shows a connection into neighbouring land via the southern turning head. A turning head/drive is also located close to the boundary with Bexstone House (also included within the strategic allocation and could provide future linkages). The strategic landscape masterplan highlights a pedestrian link from Public footpath FP321 into the application site and this should also be a cycle link in accordance with the WSCC Walking and Cycling Strategy. The Wider Development and Landscape Framework plan shows links that would not be facilitated by the proposed site layout. A financial contribution is requested to support the strategic infrastructure required to deliver development in and around the BEW Strategic Location. A condition requiring the submission of a Construction Management Plan is required.

ENVIRONMENT AGENCY:

The Environment Agency has no comments to make as this application appears to fall outside the Agency's external consultation checklist.

ADC ENVIRONMENTAL HEALTH:

No objection.

Conditions are requested controlling the hours of works for construction; the submission of a construction management plan, the details of the external lighting to be installed; the submission of a noise mitigation scheme to protect residents in close proximity to the railway line and the road; and the submission of a scheme for the provision of charging points for electric vehicles.

ADC HOUSING:

No objection.

SOUTHERN WATER:

No objection.

A formal application is required for a connection to the foul sewer to be made by the applicant or developer. Due to the vibration, noise and potential odour generated by sewage pumping stations, no habitable rooms should be located closer than 15 metres to the boundary of a proposed pumping station site. Should any sewer be found during construction works, an investigation of the sewer would be required to understand its condition, the number of dwellings served, and the potential means of access before any further works commence on site. Conditions are requested regarding foul and surface water sewerage disposal.

LEAD LOCAL FLOOD AUTHORITY:

No objection.

Surface water mapping shows the site to be at low risk from surface water flooding. Higher risk exists to the north of the site on Barnham Road. Any existing surface water flow paths across the site must be maintained. A wholesale site level rise via the spreading of excavated material should be

avoided. The site is shown to be at high risk from groundwater flooding based on current mapping.

ADC DRAINAGE ENGINEERS:

No objection.

The potential for on-site infiltration should be investigated and backed-up by winter groundwater monitoring and infiltration testing. Wherever possible, roads, driveways, parking spaces, paths and patios should be of permeable construction. There is an ordinary watercourse running to the south of the site. If infiltration is found not to work at this site it may be that discharge to this watercourse is required. The drainage design should be able to demonstrate that the infiltration / SuDS features could accommodate the water from a 1 in 100 year critical storm event, plus an additional 40% climate change allowance. Surface water drainage conditions are requested.

NATURAL ENGLAND:

No consultation response has been received.

ADC ECOLOGICAL ADVISOR:

No objection.

Following the submission of the Ecological Impact Assessment, 2019, no further survey work for bats will be required. The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Following submission of Ecological Impact Assessment (2019), it is considered that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. There are a number of enhancements which have been included within the Ecological Impact Assessment (2019) and on the Ecology Enhancement Plan (Drawing No. 102 Rev. P01) including native species planting used within the landscaping scheme; plants best suited for pollinators included within the landscaping scheme; nesting boxes installed on site for birds; bug hotels installed on-site; and the provision of bat boxes and a hedgehog house, which should be conditioned.

ADC ARCHAEOLOGICAL ADVISOR:

No objection.

Because of the lack of any archaeological intervention on or in the vicinity of this site its specific archaeological potential is unknown. However, the coastal plain has always been favourable to settlement. A large enough site in such an area is bound to contain something of interest. A condition should be imposed requiring a series of trial trenches ahead of development.

ADC CONSERVATION OFFICER:

The application site is located in close proximity to the following listed buildings: Eastergate House, St George's Church (Grade II*), Manor Farmhouse (Grade II), the granary out-buildings at Manor Farm, Manor Farm, Sussex (Grade II), the barn and cart shed at Manor Farm to the south west of the farmhouse (Grade II); and the Eastergate (Church Lane) Conservation Area. A heritage statement has been submitted assessing the significance of the assets and the potential impact of the development upon them. The location of the application site, along with existing vegetation screening and the potential layout of the site mean that the impact of the development on the various heritage assets, would be extremely limited. As a consequence, it is considered that it would fall well below the threshold of 'less than substantial' harm. As a consequence, the application should be determined in accordance with the relevant policies within the Development Plan, along with these comments. The contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) will need to be taken into account.

ADC ARBORICULTURAL OFFICER:

No objection following the submission of an amended layout plan (Drawing No 101 rev PO4), the Wider Development and Landscape Framework Plan (plan dwg. 1000 rev P04) and the making of a TPO

protecting 3 trees (a Holm Oak: T30, a Scots Pine: T43 and a Silver Birch: T45 respectively) along the site frontage. The proposed site layout appears to adequately respect valuable trees along the site frontage. However, the potential impact of losing tree groups (TL07 and TL19) along the western boundary is unfortunate as it would provide valuable screening between developments. The trees along the western boundary could be retained with a more sympathetic layout.

ADC GREENSPACE:

No objection.

On a development of 28 dwellings there should be .19Ha of on-site Public Open Space (POS) provided; confirmation of Open Space being within this development should be provided in order to guard against over-development of this site. The provision of 28 dwellings would trigger the need for an on-site Local Area of Play (LAP), plus an off-site LEAP contribution, which would be set out in a Section 106 agreement. A full landscape scheme would be required at the reserved matters stage.

ADC NEIGHBOURHOOD SERVICES:

No consultation response has been received.

WSCC INFRASTRUCTURE:

WSCC is requesting developer contributions towards:

- Education: No spare primary / secondary / further secondary schools in catchment areas have spare capacity to accommodate the children generated. Formula based contribution into S106 Agreement so that the education contribution may be calculated at a later date. The contributions generated by this proposal shall be spent on fixtures, fittings and equipment towards a new early years facility serving BEW; fixtures, fittings and equipment for a new primary school serving BEW; fixtures, fittings and equipment for phase 1 of the new secondary school serving Arun; and classroom infrastructure at St Phillip Howard Catholic High School Sixth Form.
- Library: A contribution generated by this proposal shall towards new equipment for a new Tier 7 facility serving BEW.
- Fire and Rescue: Formula based contribution into S106 Agreement so that the fire service contribution may be calculated at a later date. The Fire and Rescue Service Contribution should be used towards the supply and installation of additional fire safety equipment/smoke alarms to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Eastergate.

SUSSEX POLICE:

No objection.

The proposed development should be constructed to Secured by Design standards. The proposed layout would ensure active frontages with the streets and the public areas being overlooked. Car parking has been provided with in-curtilage, garage and a number of on-street parking bays, which should leave the street layout free and unobstructed. Sussex Police will not be seeking a developer contribution.

COASTAL WEST SUSSEX CLINICAL COMMISSIONING GROUP (CCG):

Object.

A developer contribution is requested of £38,139, which would overcome this objection. The contribution would be used most likely towards the new build at Croft Surgery and the integrated services site, which would serve the catchment population of this proposed development.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within the Strategic Allocation site Barnham/Eastergate/Westergate (BEW - SD5) in the Local Plan for 2,300 homes within the plan period, with a total of up to 3,000 dwellings in total;

Within the Built Up Area Boundary (BUAB) in the Local Plan.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
INFSP1	INF SP1 Infrastructure provision and implementation
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1

Applications for new development must meet the local drainage requirements

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5

Quality of design

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8

Buildings should be designed to reflect the three-dimensional

	qualities of traditional buildings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES3	The Local Gap/Green Infrastructure Corridor
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES4	Protection of open views
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6	Contribution to local character
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES7	Development affecting heritage assets
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA2	Footpath and cycle path network
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY CLW2	Support for new medical facilities
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H4	Integration of new housing into surroundings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H5	Outdoor space
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H6	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan:

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

Barnham and Eastergate Neighbourhood Plan (NP: 2014-2029) was made in July 2014. Relevant NP policies have been taken into account and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is located in a strategic allocation within the built-up area boundary in compliance with the Development Plan.

However, the proposal does not comply with the Development Plan due to the lack of comprehensive planning; insufficient infrastructure obligations; and the impact on protected species

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The development plan for Arun District currently comprises the Arun District Local Plan (2011-2031), which was adopted by the Full Council on 18th July 2018 and the Barnham and Eastergate Neighbourhood Plan (NP: 2014-2029).

The starting point for determining the outline planning application is Policy H SP1, Policy H SP2 and Policy HSP2c of the Local Plan and Policy ES3 of the Barnham Neighbourhood Plan (NP).

Policy H SP1 of the Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This Policy allocates 2,300 units to be provided in the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5). The application site constitutes part of the BEW strategic allocation in Policy H SP1; and the 28 houses proposed in this outline planning application would contribute towards the overall total of 2,300 units (within the Plan period) and 3,000 units in total (i.e. 2,300 plus 700 units).

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout."

Policy H SP2c of the Local Plan focusses on "Inland Arun" and includes the Barnham, Eastergate and Westergate (BEW) Strategic Allocation (SD5) for at least 2,300 dwellings over the lifetime of the Local Plan, and up to 3,000 dwellings in total. Policy H SP2c(a) says that development proposals must "preserve the separate identities and avoid any further physical coalescence of the three villages of Barnham, Eastergate and Westergate through the delivery of green infrastructure. Eastergate and Barnham should be protected from a continuous urban form / coalescence along the north and south aspects of the B2233."

Policy H SP2c sets out specific criteria that planning applications within this specific allocation will be required to meet. The proposed development of 28 new homes on the Boweries, which would constitute one of the sites that comprise the BEW Strategic Allocation in the Arun Local Plan, should play its part in the comprehensive development of the allocation by integrating appropriately with surrounding communities through an appropriate design. Policy H SP2c requires the proposed allocation to provide key infrastructure including a new local centre, new retail, commercial and community facilities, a new Tier 7 library facility and healthcare facilities to serve the BEW strategic allocation and Fontwell. New transport requirements include a re-aligned A29 route with a bridge over the railway to the east of the current Woodgate crossing combined with improved access to Barnham railway station, bus services and cycle links. The requirements also include a new two-form entry primary school, a one-form entry primary school and nursery places, in addition, 2 new sports pitches with changing facilities and new employment provision. No information has been submitted with the outline planning application detailing any consideration of the incorporation of an area of Gypsy and Traveller Accommodation or self-build / custom build dwellings. Consequently, the proposal does not comply with Policy H SP2(p) and (q) of the Arun Local Plan.

Policy ES3 of the Barnham and Eastergate NP says: "new development within the Local Gap / Green Infrastructure Corridor, other than the replacement or minor extension of an existing building, will not generally be supported." The Green Infrastructure Corridor or Local Gap was defined in the previous Arun Local Plan and provided a green buffer between Barnham and Eastergate and contributed to the character and identity of the villages; giving a sense of separate space to each village (paragraph 5.2.1 of the Barnham and Eastergate NP). The test in Section 38(5) of the Planning and Compulsory Purchase Act, 2004: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policy in the Local Plan is to be considered more favourably than those in the Neighbourhood Plan. As a statement of fact, the proposed development is contrary to the Barnham and Eastergate NP, but the Local Plan Local Gap / Green Infrastructure Corridor has been revised and the application site is now included in the BEW strategic allocation and the proposed residential development is therefore considered to be acceptable subject to the satisfactory resolution of the matters listed below.

The application site falls within the BEW Strategic Allocation (SD5) so it is acceptable in principle, subject to understanding how this site might work as part of the overall allocation, hence the need for a masterplan; and whether this land might be needed to help avoid coalescence. The LPA has identified the possibility of creating a mini masterplan to aid early delivery of part of the strategic allocation, on land bounded by Barnham Road to the north and Footpath 321 to the south. However, for the LPA to agree any schemes within this mini masterplan area, the LPA needs to be satisfied that the site fits within an "agreed" mini-masterplan which has to be consistent with the larger masterplan under development and address the policy requirements. There are a number of outstanding issues in the mini masterplan - which are covered in more detail below - including the scale and location of the 'gap' between Barnham and Eastergate, the location and extent of the Green Corridors, and the access arrangements within the mini masterplan area and the surrounding area. Until the LPA can agree these matters it cannot agree that the scheme is policy compliant.

FIVE YEAR HOUSING LAND SUPPLY

The Arun Local Plan 2011-2031 was adopted on 18th July 2018, therefore the application should be determined on the basis of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the NPPF and the Development Plan, which is made up of the Arun Local Plan 2011-2031 and the Barnham and Eastergate NP and there are no or insufficient material considerations to justify a departure from the Development Plan. The LPA's Annual Monitoring Report, 2018, says that the Five Year Housing Land Supply (HLS) is 4.7 years and the submitted Design and Access Statement says it is a 2.08 years.

Consequently, the LPA accepts that it does not have a 5 year HLS and paragraph 11 of the NPPF is applicable.

The test in paragraph 11(d) needs to be applied "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

It is considered that Paragraph 11(d)(ii) applies for the reasons set out in this report.

TECHNICAL ISSUES

HOUSING MIX

Policy H3 of the Barnham and Eastergate NP says "the type of housing to be provided in any residential development should reflect the location of the site:

- where development is on a site within 400 metres walking distance from a village centre, at least 50% of the housing units to be provided should have one or two bedrooms;
- in other cases, no more than 25% of the housing units to be provided should have one or two bedrooms."

Although this is an outline planning application the indicative housing mix comprises:

- 14 x 3 bed units;
- 13 x 4 bed units; and
- 1 x 2 bed units.

The application site is located 500 metres north west of the village of Barnham. As the indicative housing mix includes one 2 bed unit, and no one bed units, it is considered that the proposed housing mix complies with Policy H3 of the Barnham and Eastergate NP.

AFFORDABLE HOUSING

For all developments over 11 residential units the Council requires a minimum of 30% affordable housing on site, as set out in Policy AH SP2 of the Local Plan, which is equivalent on this site to 8.4 dwellings. This has been rounded down to the provision of 8 affordable dwellings.

The proposed development includes the following affordable housing mix:

- 2 x 3 bed shared ownership;
- 5 x 3 bed social rented; and
- 1 x 2 bed social rented units.

The updated Coastal West Sussex SHMA, 2016 said that the evidence highlighted a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. The SHMA 2016 update acknowledges that the analysis clearly shows the different profiles in the different broad tenures with affordable (rented) need being more heavily skewed towards smaller dwellings and market housing predominantly homes with three or more dwellings. Consequently, it is considered that the proposed housing mix in this outline planning application is SHMA compliant. The proposed quantum and location of the affordable housing is considered to be acceptable as the housing would not be clustered entirely in one location on the site. The 8 affordable units could be secured through a S106 agreement with the LPA.

The proposed provision of 8 affordable houses on the site, together with a commuted sum for off-site provision (to make up the 0.4 balance of provision), is acceptable and it complies with Policy AH SP2 of the Local Plan. In addition, the proposed split of 75% social rent and 25% shared ownership (intermediate) is acceptable as it complies with Policy AH SP2 of the Local Plan.

ILLUSTRATIVE LAYOUT AND DESIGN

Policy H SP2 of the Local Plan requires proposals on strategic sites to provide high quality development with a sense of place and permeable layout within a masterplan. Whilst the detailed layout for the site is a reserved matter, it needs to be demonstrated at outline stage that an acceptable scheme can be delivered on the site for the scale of development proposed.

Policy H4 of the Barnham and Eastergate NP says: "proposals for residential development should be designed so that the new housing integrates into its surroundings and is well connected to the village."

The Planning, Design and Access Statement sets out that "the dwellings now face inward arranged around a central spine road accessed from the south side of Barnham Road. A LEAP is shown with frontage housing facing onto it. Separation distances between the proposed dwellings and their orientation prevent overlooking or overshadowing of each other. The internal road network allows for potential connection points to the adjoining land but this depends on the evolution of the detailed Master Plan. The layout preserves the existing residential amenity of Bexstone House located to the west".

An Addendum to the Design and Access Statement has been submitted in light of the National Design Guide (September 2019), and sets out how the proposed development could comply with the components for good design and how it could comply with all ten characteristics for good design which are set out in Part 2 of the National Design Guide. However, most of the details on design and appearance would be submitted and dealt with at the reserved matters stage.

During the consultation period for the current outline planning application, a Concept Masterplan was submitted (dated January 2019). The Concept Masterplan covered four parcels of land, each in separate ownership, bounded by Barnham road to the north, the proposed re-aligned A29 to the east, existing residential developments to the west, and a landscape corridor incorporating the existing footpath (FP321) to the south. The Concept Masterplan sets out that the three main design principles are:

- "1. Integration of existing landscape features;
2. A permeable network of new streets; and
3. Growth led by the current settlement structures".

A revised Concept Masterplan was submitted on 23rd September 2019 which included additional text on highway considerations including accesses onto Barnham Road; and landscaping, which includes the provision of a settlement gap between Barnham and Eastergate formed by a proposed screening belt adjacent to the new A29.

The Proposed Site Layout Plan (Drawing No. 101 Rev. PO3) which was submitted with the outline planning application shows a linear residential layout running north/south from Barnham Road, with a mixture of 2, 3 and 4 bed detached, semi-detached and terraced properties. The layout plan comprises residential development in a linear configuration running from Barnham Road to the north of the site to footpath FP321 to the south of the application site. The layout shows two storey housing. The houses predominantly front onto the internal estate road. The Layout Plan includes the provision of a locally equipped area of play (LEAP) along the western boundary of the site. There would be a green buffer comprising landscaping along the site frontage with Barnham Road.

A revised Proposed Site Layout Plan (Drawing No. 101 Rev. P04) was submitted on 23rd September 2019 and it includes a re-located access to the site which has moved further east along the site frontage

with Barnham Road, so as to protect the three TPO'd trees. There would still be a landscape buffer along the site frontage with Barnham Road. The revised layout plan repeats the linear residential layout running north/south from Barnham Road, with a mixture of 2, 3 and 4 bed detached, semi-detached and terraced properties. The layout plan comprises residential development in a linear configuration running from Barnham Road to the north of the site to footpath FP321 to the south of the application site. The layout shows two storey housing. The houses predominantly front onto the internal estate road. The location of the LEAP has been moved to the south western corner of the site.

In terms of the re-development of land south of Barnham Road and north of Footpath FP321, the residential layout of the proposed development on the Boweries (EG/22/19/OUT) turns its back on the parcels of developable land to the west (i.e. Bexstone House and Kinnersley) and to the east (Church Commissioners owned land). The submitted layout plan excludes any east / west links or connectivity to the adjacent parcels of land; and omits any opportunities for the residential layout on the application site to connect up with the adjoining parcels of land to the east and west.

Wider Development and Landscape Framework Plan

Four versions of the Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO1, P03, P04 and P06) have been submitted to the LPA.

The Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO1) which was submitted with the outline planning application (EG/22/19/OUT) for the Boweries identified the application site and the parcel of developable land immediately to the west at Bexstone House. This Framework Plan shows the linear layout of residential development running north/south through the site; with the vehicular access fronting onto Barnham Road; and it shows the internal estate road connecting-up towards the rear of the site with the parcel of land located immediately west of the application site.

A second (revised) Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO3) was submitted on 22nd July 2019 identifying the application site and the parcels of developable land to the west including Bexstone House and Nursery Land. This Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO3) shows the same linear layout of residential development running north/south through the site; with the vehicular access fronting onto Barnham Road in the same position as the original submitted layout plan for the application (EG/22/19/OUT). The Wider Development and Landscape Framework Plan shows the internal estate road connecting-up towards the rear of the site with the parcel of land located immediately west of the application site, in accordance with the plan that was submitted with the planning application; and with the proposed link to the existing footpath (FP321) running south from the internal access road.

A third (revised) Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO4) was submitted on 1st August 2019 showing the proposed access onto Barnham Road moved eastwards along the site frontage closer to Barnham. The further revised plan also shows a new vehicular link from the application site into the parcel of land immediately east of the application site (i.e. Fleurie Nursery). In addition, the proposed link to the existing footpath (FP321) has been moved so that it now runs along the western boundary of the site and links up with FP321 in the south west corner of the application site.

A fourth (revised) Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO6) was submitted on 23rd September 2019, together with the Proposed Site Layout Plan (Drawing No. 101 Rev. P04). The further revised Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO6) includes a proposed southerly link from Bexstone House, which is located to the west of the application site; but all of the proposed roads within the development which were previously shown on the earlier versions of the Wider Development and Landscape Framework Plan have been removed.

The LPA does not consider that the linear north/south layout of the residential development proposed on

the Boweries site, as shown on the Wider Development and Landscape Framework Plan is acceptable. The north / south layout is unimaginative and merely focusses on each of the individual sites in total isolation. The LPA also questions the lack of east / west links and connections with the adjoining sites to the east and west on the submitted Wider Development and Landscape Framework Plan; and the lack of green and blue space connecting up across the wider area.

There is an opportunity for this site to provide pedestrian links, and potentially cycle links, at the southern end of the site onto the existing footpath (FP321). The WSCC Walking and Cycling Strategy includes a recommendation to update footpath FP321 into a shared footway/cycleway. The proposed layout plan should have taken this recommendation on board.

Due to the linear north/south layout of the residential development proposed on the site, together with the lack of east / west links and connections with the adjoining parcels of land to the east and west which would have provided a far more permeable layout, it is considered that the proposal for 28 dwellings on this site prejudices the delivery of a comprehensively planned settlement. The application fails to demonstrate that the delivery of development of this scale in this location would not prejudice the comprehensively development of the allocation as a whole.

The submitted layout plans fail to identify the surface water drainage features for the site. The layout of the site should identify adequate on-site surface water drainage, including ponds and swales, which would act as landscape (green and blue space) features around which the houses should be laid- out and orientated. The layout plan

Barnham Road Mini Masterplan

Policy H SP2 of the Local Plan says that "development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout." Policy H SP2c of the Local Plan says "development proposals must preserve the separate identities and avoid any further physical coalescence of the three villages of Barnham, Eastergate and Westergate through the delivery of green infrastructure. Eastergate and Barnham should be protected from a continuous urban form / coalescence along the north and south aspects of the B2233." Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

Policy ES3 of the Barnham and Eastergate NP says: "new development within the Local Gap/Green Infrastructure Corridor, other than the replacement or minor extension of an existing building, will not generally be supported."

The Local Planning Authority (LPA) is fully committed to working with the applicant and the adjoining landowners and their agents in the preparation of a Barnham Road mini masterplan for the Land South of Barnham Road up to Public Footpath 321, following which planning applications should be submitted that accord with the approved masterplan (i.e. approved by the LPA) in terms of an acceptable site layout, in accordance with Policy H SP2 of the Local Plan.

The Council has not received any submission which allows it to consider how the mini masterplan has been formed from a careful consideration of the constraints, opportunities and other issues in accordance with the National Design Guide.

In terms of the submitted draft version of the Barnham Road mini masterplan (Drawing No.

No.00605B_SK_028 Rev. C and Drawing No.00605B_SK_028 Rev. F), the masterplan has not been submitted as part of the current outline planning application for the Boweries. However, the mini masterplan fails to satisfactorily justify the location and scale of the proposed local gap / green infrastructure corridor. As a consequence, the LPA has not been able to satisfy itself that the mini masterplan would adequately prevent the visual coalescence of Barnham and Eastergate.

The proposal to create a vehicular access onto the new A29 (Item 2 on the submitted plan) has not been justified as the LPA is attempting to reduce the number of estate roads that exit onto the new A29.

The provision of three estate roads leading out directly onto Barnham Road to the north requires to be given further thought and assessment in terms of highway safety. It is considered that the number of roads leading directly onto Barnham Road should be reduced. The proposed internal estate through-road (Item 8 on the submitted plan), which would cross the route of the shared footway / cycleway on Footpath 321 should be for temporary use only. The LPA does not accept a permanent internal estate road (Item 8 on the submitted plan) crossing the shared footway / cycleway which would form the southern boundary to this parcel of development at BEW, as a permanent road would obstruct the free flow of pedestrians and cyclists using the Green Corridor and the strategic cycleway. There is a desire for a 'north-south' green corridor connecting Barnham Road and onwards to the northern site (illustrated by Item 4 on the submitted plan). The proposed location of the Green Corridor including a proposed footpath (Item 4) running north / south from Barnham Road to footpath 321 is considered to be acceptable in principle. The expectation is that any Green Corridor running south from the Barnham Road should extend as far as the east/west green corridor that is shown on the mini masterplan at Item 10. This east/west corridor separates the majority of the remainder of the allocation from Barnham and Eastergate.

The width of the Green Corridor (Item 10 on the submitted plan) on either side of the shared footway / strategic cycleway on Footpath 321 is considered to be acceptable in principle. It is important to ensure that the housing on this parcel of land is linked by footway / cycleway to the railway station and the retail and commercial services in Barnham, together with pedestrian and cyclist links to the High School and Sixth Form.

The provision of 28 dwellings on the Boweries would trigger the need for an on-site Local Area of Play (LAP), plus an off-site LEAP contribution, which would be set out in a Section 106 agreement. However, the applicant has identified an area on the submitted layout plan for the provision of a LEAP on the site. The provision of LEAPs needs to be considered in terms of the mini masterplan and whether a LEAP in the proposed location is best suited to serve the residential development parcels within the mini masterplan. The green infrastructure for the area of land covered by the mini masterplan needs to be planned comprehensively, and not in a piecemeal way. It is considered that the location of the green corridors on the mini masterplan need to be

The mini masterplan completely excludes the provision of surface water drainage features including attenuation basins and swales, which should form a fundamental part of the layout of the application site and the whole area covered by the mini masterplan. The provision and location of surface water features (Blue infrastructure) and their inter-relationship with the Green Corridors should provide the development framework for the mini masterplan. The mini masterplan currently fails to identify the interrelated Green and Blue infrastructure framework, which would ensure the comprehensive planning of the mini masterplan area.

Therefore, it is considered that the applicant has failed to provide adequate information to demonstrate whether or not the proposed 28 dwellings on this site would undermine the delivery of a comprehensively planned settlement and consequently whether the proposal would provide a high quality development with a sense of place and permeable layout, which includes the location of the Green Corridors running

through the mini masterplan area, the size of the gap between Eastergate and Barnham, located on the easternmost parcel of land in the mini masterplan area, and the surface water drainage features including attenuation basins and swales. Consequently, it is considered that the proposed layout is contrary to Policy H SP2, Policy OSR DM1(2a) and Policy W DM2 of the Local Plan, Policy H4, Policy ES1 and Policy ES3 of the Barnham and Eastergate NP.

LANDSCAPING

Policy D DM1 of the Local Plan states that: "When considering any application for development the Council will have regard to the following aspects: make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features; demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area." (Policy D DM1(1) and D DM1(2))

The submitted Planning, Design and Access Statement says: "the site benefits from well landscaped boundaries with mature trees and planting. The landscape Master Plan shows this and proposed reinforcement planting along the east boundary".

This outline planning application was accompanied by both a Landscape and Visual Appraisal and a Strategic Landscape Masterplan. The Strategic Landscape Masterplan identifies proposed tree planting along the site's northern frontage with Barnham Road and along the eastern boundary of the site with Fleurie Nursery; together with reinforcement planting along the southern and western boundaries of the site.

Details regarding the landscaping of the proposed development, including maximising the biodiversity of the site with native species and retaining a variety of habitats, would be submitted for consideration as part of a reserved matters application.

The proposed development complies with Policy D DM1 of the Local Plan in terms of tree protection measures.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (ENV DM4 (d)), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (ENV DM4 (f)), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

Policy ES10 of the Barnham and Eastergate NP seeks to retain ancient trees or hedgerows of good arboricultural and amenity value.

The application was accompanied by an existing tree schedule which was submitted with the previous withdrawn application, together with a Tree Constraints Plan', which are considered to be acceptable. The proposed access to the site shown on the original layout plan would have involved the removal of three mature trees of high public amenity value, which was considered to be unacceptable. A further revised Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO4) shows the proposed access re-located to the east of the three mature trees which are now subject to a Tree Preservation Order (TPO), and their Root Protection Areas (RPAs), fronting onto Barnham Road. The amended layout identified on the Wider Development and Landscape Framework Plan (Drawing No. 1000 Rev. PO4) shows that the revised site access would accommodate and protect the three mature trees that are protected by the TPO.

There are also visually interesting tree groups on the western boundary of the site (i.e. TL07 and TL19), which while they are not individually or collectively worthy of an Order (TPO), it is expected that they would be accommodated in any proposed layout, with ample room so as to allow their unrestricted growth and existing nominal RPAs to be undisturbed. Large and prominent trees along the southern boundary of the site (i.e. TL01, TG02 & T03) are considered to be of significance for the wider area. The large and prominent trees on the southern boundary of the site appear to have been given sufficient space in the proposed layout.

Consequently, it is considered that the proposed development, including the site access onto Barnham Road, complies with Policy ENV DM4 of the Local Plan and Policy ES10 of the Barnham and Eastergate NP, in terms of protecting trees.

TRAFFIC AND ACCESS

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

The proposed development is outline with all matters reserved except for access. The existing access to the site off Barnham Road (the B2233) would be utilised and improved and visibility splays of 2.4m x 43m are proposed to be provided.

A Technical Note on highways and transport was submitted with the outline planning application which confirmed that within the visibility splays, all landscaping would be maintained at maximum height of 0.6 metres, so as not to obstruct sight-lines. The internal access road would measure 4.8 metres wide, with footways on both sides of the carriageway measuring 1.5 metres wide. Vehicle tracking has been provided and shows the site access can accommodate a large refuse vehicle; and the site could accommodate the provision of a satisfactory turning head enabling refuse vehicles to enter and exit the site in a forward gear.

It is considered that the proposed access would provide a safe layout for traffic, cyclists and pedestrians in accordance with Policy T SP1 of the Local Plan.

Trip Generation, Distribution

A TRICS assessment has been undertaken, as required by Policy T SP1(e) of the Local Plan, which indicates that the development would generate 16 AM peak hour and 14 PM peak hour two way vehicle trips. It is considered that the proposed development accords with Policy T SP1(e) of the Local Plan.

Parking Provision

Policy GA4 of the Barnham and Eastergate NP says: "development proposals will be supported only if they include the maximum level of off-street parking consistent with the current standards under the Local Plan."

Parking would be dealt with at Reserved Matters stage, but the revised Technical Note includes the provision of 62 spaces parking spaces including the provision of 10 garage spaces. The proposed parking provision complies with the WSCC parking demand calculator in the Parking Standards. Consequently, the proposed level of car parking proposed in this outline planning application would comply with Policy T SP1(d) of the Local Plan and Policy GA4 of the Barnham and Eastergate NP.

Public Transport

Policy T DM1(a) of the Local Plan says: "proposals for al new development must be located within easy

access of established public transport services".

Policy GA1 of the Barnham and Eastergate NP says "new developments should integrate with the current green infrastructure network and provide access to public and community transport, to connect with the social, community and retail facilities of the villages".

Opportunities to travel by public transport are limited. There is a regular bus service accessed from Barnham Road (the B2233) providing links to Barnham and the railway station and Yapton as well as to Bognor. The railway station is approximately 0.6km from the site which provides for onward travel to local employment centres as well as London, Brighton and Southampton.

The site is located within walking distance (approximately 200 metres) from the nearest bus stop; and 500 metres Barnham, which includes a primary school, local supermarket, shops with a post office and restaurants. The bus stops provide connections to Bognor Regis railway station and Barnham railway station, and to Yapton, and the retail foodstores on Shripney Road at Bersted. The proposed development is well served by bus stops in proximity to the site but the frequency of services is limited. Bus route 85 and 85A provide an hourly service between Eastergate and Barnham and Littlehampton.

The proposed development is in accordance with Policy T DM1 of the Local Plan and Policy GA1 of the Barnham and Eastergate NP, in terms of access to public transport.

Footways and Cycleway Provision

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

Policy T DM1 of the Local Plan says: "New development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community". "Proposals for all new development must be located within easy access of established public transport services, existing pedestrian and cycle networks, the committed and aspirational cycle networks and the green infrastructure network which links the development with key destinations including places of work, education, leisure and town centres" (Policy T DM1(a)).

Policy GA2 of the Barnham and Eastergate NP says: "support will be given to proposals that improve and extend the existing footpath and cycle path network, allowing greater access to new housing, the village centres, green spaces and the open countryside."

The site is located within walking distance to bus stops which provide onward connections 7 times a day to Bognor Regis, Barnham Railway station and Yapton.

The mini masterplan area is important to the delivery of the strategic cycleway serving this part of the BEW strategic development and ensuring that the cycleway links up with the wider network within BEW and with the existing cycle network serving Barnham, Eastergate and Westergate. The cycleways within the mini masterplan area should ensure that crossing points over Barnham Road are safe and connect up with the proposed cycleways on the parcel of land the Barratts will be developing north of Barnham Road.

In terms of on-site detail, pedestrian crossing points are required at the site entrance onto Barnham Road. Public Footpath FP321, which runs east / west to the south of the application site should link into the proposed development and be expanded into a shared footway / cycleway, as identified and recommended in the Walking and Cycling Strategy prepared by WSCC.

It is considered that the proposed access would provide a safe layout for cyclists and pedestrians in accordance with Policy T SP1 and Policy T DM1 of the Local Plan and Policy GA2 of the Barnham and Eastergate NP.

BIODIVERSITY

Policy ENV DM5 of the Local Plan says "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats".

A Preliminary Ecological Appraisal Survey and a Preliminary Protected Species and Bat Roost Assessment Survey were submitted with the outline planning application. The surveys recommended ecological enhancements, which have been incorporated in an Ecology Enhancement Plan (Drawing No. 102 Rev. P01) which was submitted on 23rd September 2019, which include the provision of nesting boxes for birds; roosting boxes for bats; a hedgehog house; the planting of additional native trees and shrubs along the boundaries of the site; the use of native and local shrub and tree species with ecological value; the use of a sympathetic lighting scheme; the retention or creation of an area of grassland to provide reptile and amphibian habitat; introduction of bug hotels; and reinforcement of existing compost and log piles and creation of new log piles to the edges of the site. The proposed ecological enhancements should be conditioned.

An Ecological Impact Assessment, 2019, has been submitted by the applicant. It is considered that no further survey work for bats would be required; and that the proposed mitigation measures would be suitable.

Consequently, it is considered that, subject to a condition, the proposed development complies with Policy ENV DM5, Policy H SP2(c) and Policy H SP2(d) of the Local Plan, in terms of ecological protection and enhancement.

HERITAGE ASSETS

Policy HER SP1 of the Local Plan states that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM3(f) of the Local Plan says: "in order to preserve the character or appearance of the Conservation Area, planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

Policy ES7 of the Barnham and Eastergate NP says "development affecting listed buildings or their settings, conservation areas and their settings, or the Areas of Special Character designated in the Local Plan should be designed so as to preserve and enhance them, so as to reinforce the quality and character of the villages."

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990).

The proposed development needs to assess any impacts on the Church Lane and Eastergate Conservation Area within 1.0km of the site which need to be considered. There are listed buildings located within Church Lane and Eastergate Conservation Area which need to be considered.

A heritage statement has been submitted with the outline planning application which assesses the significance of the heritage assets including the listed buildings and the Church Lane and Eastergate Conservation Area) in accordance with the NPPF, including paragraph 189. The application has been properly assessed assessing, considering the significance of the assets and any potential impact of the development upon them.

Consequently, it is considered that the proposed development complies with Policy HER SP1 of and Policy HER DM3(f) of the Local Plan and Policy ES7 of the Barnham and Eastergate NP.

ARCHAEOLOGY

Policy HER DM6 of the Local Plan says: "where a site on which development is proposed has the potential to include heritage assets with archaeological interest permission will only be granted where it can be demonstrated that development will not be harmful to the archaeological interest of these sites."

The site is located on the coastal plain, which has always been favourable to settlement. Consequently, a condition should be imposed requiring a series of trial trenches be excavated prior to the commencement of development.

It is considered that, subject to the imposition of a condition requiring trial trenches, the proposed development complies with Policy HER DM6 of the Local Plan.

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation (a), light levels should be the minimum required for security and working purposes (b), and minimise potential glare and spillage (c); and the degree to which outdoor lighting can be powered by on-site renewable sources (d).

Policy H6 of the Barnham and Eastergate NP says: "the design of new housing should give full consideration to lighting." Lighting schemes should prevent light spillage and glare and face inwards away from open landscapes (paragraph 9.3.4 of the Barnham and Eastergate NP).

The application site is in a semi-rural area of the district, east of Eastergate and west of Barnham. It is considered that a lighting condition be imposed requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the ADC's Ecological Advisor's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding.

The imposition of a condition ensuring that the external lighting scheme meets the limits the environmental zone E2 (as set out in the Institute of Lighting Professionals Guidance for Reduction of Obtrusive Light) is proposed. The guidance sets out limits for the main sources of light pollution (sky glow, glare and spill) and would ensure that the lighting is appropriate to the wider landscape setting and minimises the impact of the development on the Dark Sky Reserve designation within the SDNP.

Consequently, subject to the imposition of a condition, it is considered that the proposed development complies with Policy QE DM2(a), (b), (c) and (d) inclusive of the Local Plan and Policy H6 of the Barnham and Eastergate NP.

NOISE POLLUTION

Policy QE DM1 of the Local Plan emphasises that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

The Noise Assessment which accompanied the outline planning application set out mitigation measures including the dwellings would be set back from the road; the internal layout of the dwellings would ensure non habitable rooms provide an additional buffer area with the noise source; and the dwellings would be fitted with double glazed windows to mitigate road noise.

Environmental Health has requested a condition controlling the hours of works for construction, a condition requiring the submission of a construction management plan, and a condition controlling the submission of a noise mitigation scheme, so as to protect residents in close proximity to the railway line and the road. The provision of noise mitigation conditions is considered to be reasonable and necessary.

Consequently, it is considered, subject to the imposition of conditions regarding noise emissions and operating hours, that the proposed development complies with Policy QE DM1 of the Local Plan.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

Policy H5 of the Barnham and Eastergate NP regarding outdoor space says: "proposals for new housing development should include good quality outdoor amenity space - either private gardens or a shared amenity area."

All of the proposed rear gardens set out on the indicative layout plan would measure at least 10 metres long, which is considered to be acceptable. The proposed layout plan only comprises houses; and there are no apartments proposed. As no apartments are proposed, there is no need for shared amenity areas to be provided as part of this residential development.

Consequently, it is considered that the proposed residential development complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring residential amenity and Policy H5 of the Barnham and Eastergate NP.

SURFACE WATER DRAINAGE

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

Policy ES1 of the Barnham and Eastergate NP says "new development should aim to reduce the overall level of flood risk in the area. Development will not be supported without clear evidence provided of there being no flood risk (either to the development site or to other land) arising from the carrying out and use of the development."

The application site is located in Flood Zone 1. The Flood Risk Assessment (FRA) and Drainage Strategy submitted with the outline planning application confirmed that the proposed surface water drainage would use a combination of soakaways and permeable paving. The FRA recommends the carrying out of percolation tests; the drainage for the development should be designed for the 1 in 10 year event with an allowance of 40% for climate change; and undertake a topographical survey of the site to ensure levels can be set to ensure flood flow routes through the site should an exceedance event occur.

The surface water drainage for the application site needs to be considered as part of the mini masterplan area to ensure that all of the sites within the masterplan area can be drained effectively, and to ensure that the proposed development complies with Policy W DM2 of the Local Plan and Policy ES1 of the NP

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The proposed development would connect to the existing sewer in Barnham Road.

Subject to conditions requiring the submission of a detailed foul drainage scheme at the reserved matters stage, the proposed development accords with Policy W DM1 of the Local Plan.

CLIMATE CHANGE

Policy ECC SP1 of the Local Plan says: "The Council will support development which is located and appropriately designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding; water stress; health impacts as a result of extreme temperatures and a decline in the quality of habitats and richness in biodiversity". Policy ECC SP2 of the Local Plan says: "All major developments must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable".

The proposed north / south orientation of 18 of the houses on the indicative layout plan submitted with the outline planning application would not ensure maximum solar gain and would therefore not comply with Policy ECC SP1 of the Local Plan. Whereas, the east/west orientation of 10 houses on the indicative layout plan would ensure maximum solar gain. The proposed residential development could comply with Policy ECC SP2 through the imposition of a condition requiring 10% on-site generation from renewable or low carbon energy generation, plus the fabric first approach.

SUPPORTING INFRASTRUCTURE

Development is only acceptable with the provision of, or contributions to, the necessary infrastructure and facilities to mitigate the impacts of the proposed residential development. Policy H SP2c of the Local Plan sets out the infrastructure requirements for the BEW strategic allocation, which include:

- a well connected local centre, with connections to the train station at Barnham.
- new retail, commercial and community facilities.
- new Tier 7 library.
- healthcare facilities to serve the BEW strategic allocation and Fontwell.
- transport requirements including a new A29 route through the allocation, an east-west route north of the railway linking the existing and new A29 route, Westergate cycle link scheme, regular bus services, access to Barnham Station.
- a new two-form entry primary school, a new one-form (expandable to two-form) entry primary school and nursery places.
- incorporate two new sports pitches and changing facilities and
- new employment provision.

As the application site is located within the BEW strategic allocation then it needs to demonstrate how the infrastructure requirements above will be delivered. The Section 106 Agreement for this scheme needs to mitigate the impact of the proposal but in order to meet the policies, the scheme needs to contribute towards the new self-contained settlement which provides its own infrastructure. As the site is a small proportion of the wider BEW strategic allocation, it would not be delivering any infrastructure on site that the wider site would then not need to deliver (thereby off-setting future costs for the remainder of

the site).

The Local Plan policy requires the BEW strategic allocation to deliver a new healthcare facility to serve the BEW strategic allocation and Fontwell. The NHS (Sussex Coastal Clinical Commissioning Group) has responded setting out a developer contribution of £38,139, which would be used most likely towards the new build at Croft Surgery and the integrated services site. The proposed development is considered to be in accordance with Policy CLW2 of the Barnham and Eastergate NP which says: "proposals for new medical facilities will be supported"; and is considered to be CIL compliant.

WSCC have confirmed that the present primary and secondary schools within the catchment areas of the proposal would not have spare capacity and would be unable to accommodate the children from the development. Accordingly developer contributions are required. The contributions comprise £32,079 to be spent on fixtures, fittings and equipment towards a new early years facility serving BEW; £202,087 spent on fixtures, fittings and equipment for a new primary school serving BEW; a formula based contribution towards fixtures, fittings and equipment for phase 1 of the new secondary school serving Arun - The secondary education contribution sought by the County Council would be based on the estimated additional secondary aged pupil population that would be generated by the proposed development and the cost of providing a 10FE secondary school for Arun plus land costs. This equates to a cost of £33,538 per secondary aged pupil generated as result of the development. A formula based contribution would be spent on classroom infrastructure at St Phillip Howard Catholic High School Sixth Form. These are all considered to be CIL compliant.

Fire and rescue contributions have been sought by WSCC (formula based) due to the need to improve service provision in the Southern division as a result of the development. This is proposed to be used towards the supply and installation of additional fire safety equipment / smoke alarms to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Eastergate. This is considered to be CIL compliant.

A pro-rata contribution is requested towards new equipment for a new Tier 7 facility serving BEW, based on the provision of 28 dwellings; which is considered to be CIL compliant.

The affordable housing and open space requirements are set out in the relevant sections above.

The site forms part of the BEW strategic allocation and, as such, should provide a proportional contribution. As such, the Local Highway Authority is seeking a financial contribution of £201,448 (£7,196 per-dwelling) towards the strategic infrastructure required to deliver development in-and-around the BEW Strategic Location.

Sussex Police have confirmed that they are not seeking any contributions from this proposed development on land at the Boweries.

No delivery contributions have been proposed or provided for community facilities.

It has been demonstrated that the developer contributions proposed would ensure that the infrastructure needed to support the development would be sufficient to meet the needs of occupiers and users of the development, of the larger BEW strategic allocation and the existing communities of Eastergate and Barnham, in accordance with Policy H SP2, Policy H SP2c and Policy INF SP1 of the Local Plan.

SUMMARY

It is considered that whilst the proposed development would deliver much needed housing, insufficient information has been submitted to demonstrate that the proposed development would contribute to the

delivery of a comprehensively planned settlement and consequently whether the proposal would provide a high quality development with a sense of place and permeable layout to adjacent sites, which could accommodate adequate on site Green and Blue Infrastructure, including the provision of a cycleway/footway, with on-site play provision including a LEAP/LAP, together with surface water drainage such as attenuation basins and swales. Consequently, it is considered that the proposed development is contrary to Policy D DM1, Policy H SP2, H SP2c, Policy OSR DM1(2a) and Policy W DM2 of the Local Plan, Policy H4, Policy ES1, Policy ES3 and Policy GA2 of the Barnham and Eastergate Neighbourhood Plan.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 Insufficient information has been submitted to demonstrate that the proposed development of this scale could be satisfactorily accommodated in a manner which would not undermine the delivery of a comprehensively planned settlement of high quality with a strong sense of place, having regard to such matters as green and blue infrastructure, the prevention of coalescence of Barnham and Eastergate, the A29 re-alignment, non-car modes of transport, open space, play provision and landscape, other infrastructure provision and a high quality legible and permeable layout, contrary to Policy D DM1, Policy H SP2, H SP2c, Policy OSR DM1(2a) and Policy W DM2 of the Local Plan, Policy H4, Policy ES1, Policy ES3 and Policy GA2 of the Barnham and Eastergate Neighbourhood Plan.
- 2 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of

this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

- 3 INFORMATIVE: If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.